

# United States District Court

**SOUTHERN**

DISTRICT OF  
McALLEN DIVISION

**TEXAS**

UNITED STATES OF AMERICA  
V.

United States District Court  
Southern District of Texas  
FILED

**CRIMINAL COMPLAINT**

**Gilberto Espinoza-Flores**  
**A078 969 155**

YOB: 1970

Principal  
Mexico

**JUN 26 2015**

Case Number:  
**M-15-1035-M**

**Clerk of Court**

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about June 25, 2015 in Hidalgo County, in the Southern District of Texas defendants(s) did,  
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Juan Angel Flores-Rivas, a citizen of Honduras, and Yesmina Miranda-Perez, a citizen of Mexico, along with seven (7) other undocumented aliens, for a total of nine (9), who had entered the United States in violation of law, concealed, harbored or shielded from detection or attempt to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(iii) FELONY  
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On April 22, 2015, Agents at the Falfurrias Border Patrol Station apprehended a two principal smuggling case where prosecution was not sought. One of the principals in that case provide information regarding a residence at 1073 Evaristo Gonzalez, in Alamo, Texas. That subject told agents the residence was being used to harbor illegal aliens. That information was passed on to the RGV FIT.

On June 11, 2015, the RGV FIT once again received similar information from McAllen Intelligence Agents regarding the same house located at 1073 Evaristo Gonzalez, in Alamo, Texas.

**SEE ATTACHED**

Continued on the attached sheet and made a part of this complaint:

OK to file. TW

☒ Yes ☐ No



Signature of Complainant

Israel Perez Senior Patrol Agent

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

June 26, 2015

Date

at McAllen, Texas  
City and State

Dorina Ramos, U. S. Magistrate Judge  
Name and Title of Judicial Officer

  
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-15-1035-M**

**RE: Gilberto Espinoza-Flores**

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**CONTINUATION:**

On June 25, 2015, agents set up surveillance on 1073 Evaristo Gonzalez. A blue Chevrolet Astro Van was seen leaving the residence with only the driver in it, and travelling to another residence on Canton Road in Edinburg, Texas. The driver stayed at the residence for approximately 20 minutes before leaving again. Agents noticed that the driver departed in the company of another individual.

Agents contacted a Hidalgo County Constable Deputy to assist them with a vehicle stop. The deputy arrived and stopped the van for excessive speed. The driver, identified as Gilberto ESPINOZA-Flores, was issued a warning by the Deputy.

Agents approached the vehicle stop and interviewed both ESPINOZA and the passenger travelling with him. Both of them claimed to be illegally in the United States. ESPINOZA was read his Miranda Rights and told agents he would provide a statement without the presence of an attorney.

ESPINOZA admitted the residence in Alamo, Texas was his, and he was harboring illegal aliens there. He stated there were 8-9 UDAs inside two small structures located near the rear of the property. ESPINOZA granted consent to search the property.

The passenger in the vehicle was ESPINOZA'S 17 year old son, also in the United States illegally.

As Border Patrol Agents and HSI Agents approached one of the structures on the property, someone inside tried to abscond out of a window. Agents apprehended him and he admitted to being illegally in the United States. Both structures were searched, and agents apprehended a total of 8 additional people, all who admitted to being in the United States illegally.

All subjects were transported to the Weslaco Border Patrol Station for processing.

**PRINCIPAL'S STATEMENT:**

ESPINOZA was advised of his rights at the vehicle stop. He provide a sworn statement once at the station.

ESPINOZA stated he illegally crossed the Rio Grande River in 2011. He claimed to have been living at 1073 Evaristo Gonzalez for approximately four months. A man offered him a job picking up illegal aliens from various locations, and transporting them to his house, where he would take care of them until someone else picked them up. The man who hired ESPINOZA paid him \$1,000 (USD) per week for these services. Half belonged to ESPINOZA and the other half he was supposed to use to buy food for the illegal aliens. At the time of his arrest, ESPINOZA had in his possession \$5,005 (USD) and \$200 (MX Pesos) which he said were the proceeds of harboring illegal aliens. According to ESPINOZA, he has harbored 25-30 illegal aliens per month for the past four months.

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**CONTINUATION:**

**MATERIAL WITNESSES' STATEMENTS:**

Both material witnesses were read their rights. Both stated they were willing to provide statements without the presence of an attorney.

1- Juan Angel Flores-Rivas, a citizen of Honduras, was charged \$7,000 (USD) to be smuggled into the United States. After illegally crossing the Rio Grande River, he was picked up and transferred to another vehicle. That vehicle transported him to the house where he was arrested. While at that house, there was a man who arrived daily, several times per day, and check on them. The man would ask for money from them if they wanted something different to eat other than what was already there. According to Flores, the ceiling had caved in from a leak during a rain, and the little house was very dirty with trash everywhere. Flores identified ESPINOZA in a photo lineup as the man who was in charge of him while at the house.

2- Yesmina Miranda-Perez, a citizen of Mexico, was charged \$15,000 (MX Pesos) and \$1,500 additional (USD) to be smuggled into the United States. After illegally crossing the Rio Grande River, she became separated from the group. After wandering lost for two hours, the man in charge of her smuggling arrangements (Wacho) called her cell phone and arranged for her to be picked up by an SUV. The man instructed her that the SUV would stop close to where she was hiding. When she saw an SUV arrive, she walked toward it. The driver asked her if she was belonged to Wacho's group and told her he would take her to the stash house.

At the stash house, the driver told Miranda to wait inside the vehicle until he told her to come out. According to Miranda, she spent 20 days at the stash house. She stated the man who transported her there, was the same individual who was in charge of her while she stayed there. Miranda identified ESPINOZA as both the driver and the man in charge of the stash house. While at the house, ESPINOZA told the group the only time they could exit the stash house was at night, and only to take a shower. The shower inside the house was not functional. ESPINOZA told the group there was food inside the refrigerator available to cook. Additionally, ESPINOZA was the only person that Miranda ever saw provide for the people staying at the stash house.